

PATENT COOPERATION TREATY
PCT
INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

Applicant's or Agent's file reference	FOR FURTHER ACTION See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)	
International application No. PCT/EP 03/51002	International filing date (day/month/year) 15.12.2003	Priority date (day/month/year) 17.12.2002
International Patent Classification (IPC) or national classification and IPC H03C5/00		
Applicant TALES et al		

<p>1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.</p> <p>2. This REPORT consists of a total of 5 sheets including this title page.</p> <p><input checked="" type="checkbox"/> This report is also accompanied by ANNEXES, i.e. sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Instruction 607 of Administrative Instructions of the PCT).</p> <p>These annexes consist of a total of 2 sheets.</p>
<p>3. This report contains indications relating to the following items:</p> <ul style="list-style-type: none"> I <input checked="" type="checkbox"/> Basis of the report II <input type="checkbox"/> Priority III <input type="checkbox"/> Non-establishment of opinion with regard to novelty, inventive step and industrial applicability IV <input type="checkbox"/> Lack of unity of invention V <input checked="" type="checkbox"/> Reasoned statement according to Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement VI <input type="checkbox"/> Certain documents cited VII <input type="checkbox"/> Certain defects in the international application VIII <input type="checkbox"/> Certain observations on the international application

Date of submission of the demand 05.07.2004	Date of completion of this report 27.01.2005
Name and mailing address of the IPEA  European Patent Office D-80298 Munich Tel. +49 89 2399 - 0 Tx: 523656 epmu d Fax: +49 89 2399 - 4465	Authorized officer:  Ratajski, A Telephone No. +49 89 2399-7627

INTERNATIONAL PRELIMINARY
EXAMINATION REPORT

International application No. PCT/EP 03/51002

I. Basis of the report

1. This report has been drawn up on the basis of the following elements (*the replacement sheets received by the receiving office in response to an invitation according to Article 14 are considered in the present report as "originally filed" and are not annexed to the report as they contain no amendments (Rules 70.16 and 70.17).*):

Description, pages:

1-11 as originally filed

Claims, No.:

1-12 received on 12.01.2005 with the letter of 05.01.2005

Drawings, sheets:

1/3-3/3 as originally filed

2. With regard to the **language**, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language which is:

- the language of a translation furnished for the purposes of international search (under Rule 23.1(b)).
- the language of publication of the international application (under Rule 48.3(b)).
- the language of the translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).

3. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- contained in the international application in written form.
- filed together with the international application in computer readable form.
- furnished subsequently to this Authority in written form.
- furnished subsequently to this Authority in computer readable form.
- The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
- The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. The amendments have resulted in the cancellation of:

- the description, pages:
- the claims, Nos.:
- the drawings, sheets:

**INTERNATIONAL PRELIMINARY
EXAMINATION REPORT**

International application No. PCT/EP 03/51002

5. This report has been written disregarding (some of) the amendments, which were considered as going beyond the description of the invention, as filed, as is indicated below (Rule 70.2(c)):

(All replacement sheets comprising amendments of this nature should be indicated in point 1 and attached to this report).

6. Additional observations, if necessary:

V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty	Yes:	Claims	1-12
	No:	Claims	

Inventive Step	Yes:	Claims	1-12
	No:	Claims	

Industrial Applicability	Yes:	Claims	1-12
	No:	Claims	

2. Citations and explanations

see separate sheet

Concerning point V

**Reasoned statement as to novelty, inventive step and industrial applicability;
citations and explanations in support of this statement**

Reference is made to the following document:

D1: US 4 194 154 A

1. D1 is the most relevant document cited in the International Search Report. It discloses characteristics equivalent to those mentioned in the second paragraph of the description of the present application.

None of the documents cited discloses or suggests a method of correction or a correction loop comprising the correction of a parameter of the envelope with the aid of a corrector obtained by searching, among predetermined values, for the value of the corrector corresponding to the minimum of the out-of-band noise power of the output signal of a digital signal processing chain comprising a correction as a function of said corrector as defined in independent claims 1 and 2.

This makes it possible to solve the problem of the patent application, as it stems from the last paragraph of page 1 of the description, namely of obtaining an alternative solution to the correction of a digital signal provided by a digital signal processing chain in which the use of the initial signal is not necessary.

Consequently, the independent claims 1 and 2 satisfy the novelty and inventive step requirements according to articles 33(2) and respectively 33(3) PCT in view of the documents of the prior art cited.

2. The dependent claims relate to useful embodiments of the subject matter of the application as defined in the independent claim. The dependent claims 3 to 12 therefore also satisfy the novelty and inventive step requirements according to articles 33(2) and 33(3) PCT.

3. The claims contain reference signs which are not placed between brackets contrary to the requirements of rule 6.2 b) PCT, for example the reference sign pc in the first line of claims 1 and 2 or the reference sign c in line 7 of claim 1.

The additional characteristic of the dependent claim 11 does not satisfy the clarity requirements of article 6 PCT, the expression "the method of Kahn" making reference to a method which is not defined in the claims of the present application.